

REMARKS

The present invention is directed to automatically obtaining images stored on a user's computer and implementing instructions that have also been stored. The user is not involved in the automatic transfer, but instead it is the database systems which automatically accesses, obtain and transfers files between a user's computer and a service provider.

The Examiner rejected claims 1-24 under 35 USC § 103(a) as being unpatentable over Jebens et al. (6,321,231) for the reasons set forth therein. The Examiner states that Jebens teaches a method for providing an automatic service over a communication network to a user based on stored instructions by a user on a user computer. The Examiner refers to column 22, lines 58-66 for support of this statement. The Jebens patent discloses to a digital management system where image providers 14 store images whereby authorized users can access and search the database. As set forth in column 11, lines 22-25, a user initiates a process by a login procedure. After a login procedure, the user enters input indicating certain browser activities that are to be performed. See column 12, lines 13-14. Thereafter, appropriate actions are taken such as a search request. See column 12, lines 33-34. At a later point in the procedure, the user enters an order routine, see column 14, lines 10-26. In this routine, a work order is prepared by the user and sent to the host system. See column 14, lines 49-57. In response to the work order, a job order is assembled by the host system. See column 14, lines 55-57. The job order is routed to a second user. Thus, the host system does not automatically obtain instructions stored on a user's computer. In the Jebens system, it is the user that forwards the work order to the host system. In the invention of claim 1, the service provider automatically obtains instruction stored on the user computer over the communication network and these instructions are associated with digital media stored on the user's computer. This is in contrast to the Jebens' wherein a work order prepared by the user is used to create a job order with respect to high resolution images that are stored on the host (service provider) system. Not only does Jebens' operate differently from the present invention, i.e. there is no automatic obtaining of instructions stored on the user's computer, it does not do the same thing in the same way. The host system does not provide or obtain instructions that are stored on the user's computer, nor does it provide the instruction with digital images stored on the user computer.

Thus, this clears that the Jeben's reference is directed to a system totally apart and distinct from that claimed by the present invention.

Claim 12 is a system claim, similar to claim 1 and also includes the limitation that the service provider computer automatically obtains instructions stored on the user's computer over the communication network and the instructions with respect to images that are stored on the user's computer.

The last independent claim 24, is directed to a method for an automatically service or communication network based on stored instructions by a user on a user's computer. Here again, the instructions are stored on the user's computer as opposed to instructions that are provided on the host system. In addition, the instructions are associated with digital media files stored on the user's computer as opposed to the high resolution images stored at the host computer in the Jebens. The images that are sent to the user computer are simply thumbnail images forwarded by the host system for display at the user computer. These images are not stored at the user's computer. The Jibe's patent is directed to a system totally apart and distinct from the present invention.

The remaining claims all depend upon the independent claims previously discussed and are therefore patentably distinct for the same reasons.

The specification has been amended to identify appropriate cross-referencing.

In view of the foregoing applicant respectfully submits that the application is in condition for allowance and such action is respectfully requested.

Respectfully submitted,



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